



ORIGINAL OPEN MEETING ITEM

**MEMORANDUM**  
Arizona Corporation Commission  
**DOCKETED**

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AZ CORP COMMISSION  
DOCUMENT CONTROL

TO: THE COMMISSION

MAR 08 2001

FROM: Utilities Division

DOCKETED BY

*me*

DATE: March 6, 2001

RE: IN THE MATTER OF THE APPLICATION OF ARIZONA TELEPHONE COMPANY AND SOUTHWESTERN TELEPHONE COMPANY FOR APPROVAL OF A WIRELESS INTERCONNECTION AGREEMENT WITH NEXTEL WEST CORP. (DOCKET NOS. T-02063A-01-0057 AND T-01072B-01-0057)

On January 18, 2001, Arizona Telephone Company, a wholly-owned subsidiary of TDS Telecom, and Southwestern Telephone Company, a wholly-owned subsidiary of TDS Telecom, ("TDS Telecom") filed an application for approval of an Interconnection Agreement between TDS Telecom and Nextel West Corp. ("Nextel"). The term of the agreement shall renew automatically for successive one (1) year terms. Either party may elect to terminate the agreement by providing written notice at least ninety (90) days prior to the agreements anniversary date. The Agreement governs the terms and conditions under which TDS Telecom will offer interconnection to Nextel.

The Telecommunications Act of 1996 ("1996 Act") directed incumbent local exchange carriers to make their networks available for interconnection and resale by new entrants to the local exchange market. The 1996 Act provides for interconnection and resale agreements to be concluded by voluntary negotiation. This Agreement between TDS Telecom and Nextel was voluntarily negotiated, without resort to arbitration.

The terms of the Agreement, allow the parties to interconnect their facilities and interchange traffic for the provision of telecommunication services.

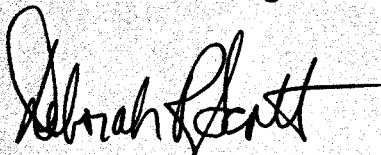
According to the 1996 Act and State Rule, the Commission must approve voluntarily negotiated interconnection and resale agreements if their provisions are non-discriminatory and in the public interest. Staff has reviewed the Agreement and finds it to be non-discriminatory and in the public interest. TDS Telecom is offering the same terms and conditions of the Agreement to all other interested parties. The Agreement is in the public interest because it will act to further competition in the local exchange market in Arizona.

THE COMMISSION

March 6, 2001

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Since there are no grounds for rejection of the Agreement pursuant to Section 252(e)(2)(A) of the 1996 Act, Staff recommends that the Commission approve the Interconnection Agreement between TDS Telecom and Nextel.

A handwritten signature in black ink, appearing to read "Deborah R. Scott", with a stylized, flowing script.

Deborah R. Scott  
Director  
Utilities Division

DRS:EAA:lhmdm

ORIGINATOR: Erinn Andreasen

1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 WILLIAM A. MUNDELL

Chairman

3 JIM IRVIN

Commissioner

4 MARC SPITZER

Commissioner

5  
6 IN THE MATTER OF THE APPLICATION )  
OF ARIZONA TELEPHONE COMPANY AND )  
7 SOUTHWESTERN TELEPHONE COMPANY )  
FOR APPROVAL OF A WIRELESS )  
8 INTERCONNECTION AGREEMENT WITH )  
NEXTEL WEST CORP. )

DOCKET NOS. T-02063A-01-0057  
T-01072B-01-0057

DECISION NO. \_\_\_\_\_

9 ORDER

10 Open Meeting  
March 27 and 28, 2001  
11 Phoenix, Arizona

12 BY THE COMMISSION:

13 FINDINGS OF FACT

14 1. On January 18, 2001, Arizona Telephone Company, a wholly-owned subsidiary of  
15 TDS Telecom, and Southwestern Telephone Company, a wholly-owned subsidiary of TDS  
16 Telecom, ("TDS Telecom") filed an application for approval of an Interconnection Agreement  
17 between TDS Telecom and Nextel West Corp. ("Nextel"). The term of the agreement shall renew  
18 automatically for successive one (1) year terms. Either party may elect to terminate the  
19 agreement by providing written notice at least ninety (90) days prior to the agreements  
20 anniversary date. The Agreement governs the terms and conditions under which TDS Telecom  
21 will offer interconnection to Nextel.

22 2. The Telecommunications Act of 1996 ("1996 Act") directed incumbent local  
23 exchange carriers to make their networks available for interconnection and resale by new entrants  
24 to the local exchange market. The 1996 Act provides for interconnection and resale agreements to  
25 be concluded by voluntary negotiation.

26 3. This Agreement between TDS Telecom and Nextel was voluntarily negotiated,  
27 without resort to arbitration.

28 ...

1           4.       The terms of the Agreement, allow the parties to interconnect their facilities and  
2 interchange traffic for the provision of telecommunication services.

3           5.       According to the 1996 Act and Commission Rule, the Commission must approve  
4 voluntarily negotiated interconnection and resale agreements, if their provisions are non-  
5 discriminatory and in the public interest.

6           6.       Staff has reviewed the Agreement and finds it to be non-discriminatory and in the  
7 public interest. TDS Telecom is offering the same terms and conditions of the Agreement to all  
8 other interested parties. The Agreement is in the public interest because it will act to further  
9 competition in the local exchange market in Arizona.

10          7.       Since there are no grounds for rejection of the Agreement pursuant to Section  
11 252(e)(2)(A) of the 1996 Act, Staff has recommended that the Commission approve the  
12 Interconnection Agreement between TDS Telecom and Nextel.

13                               CONCLUSIONS OF LAW

14          1.       TDS Telecom is an Arizona public service corporation within the meaning of  
15 Article XV, Section 2, of the Arizona Constitution.

16          2.       The Commission has jurisdiction over Nextel and over the subject matter of the  
17 Application.

18          3.       The Commission, having reviewed the Application and Staff's Memorandum has  
19 determined that the Interconnection Agreement negotiated between TDS Telecom and Nextel  
20 meets the requirements of Section 252(e)(2)(A) of the 1996 Act which governs the approval of  
21 voluntarily-negotiated agreements and is in the public interest.

22          4.       The Commission maintains jurisdiction over the subject matter of the Agreement  
23 and Amendments thereof, to the extent permitted pursuant to the powers granted the Commission  
24 by the Arizona Constitution, Statutes, Commission Rule, and the 1996 Act and the Rules  
25 promulgated thereunder.

26 ...

27 ...

28 ...

ORDER

THEREFORE, IT IS ORDERED that the Commission hereby approves the Interconnection Agreement between TDS Telecom and Nextel filed on January 18, 2001.

IT IS FURTHER ORDERED that this Decision shall become effective immediately.

**BY ORDER OF THE ARIZONA CORPORATION COMMISSION**

CHAIRMAN

COMMISSIONER

COMMISSIONER

IN WITNESS WHEREOF, I, BRIAN C. McNEIL,  
Executive Secretary of the Arizona Corporation  
Commission, have hereunto, set my hand and caused the  
official seal of this Commission to be affixed at the Capitol,  
in the City of Phoenix, this \_\_\_\_ day of \_\_\_\_\_, 2001.

\_\_\_\_\_  
BRIAN C. McNEIL  
Executive Secretary

DISSENT: \_\_\_\_\_

DRS:EAA:lhmm

1 SERVICE LIST FOR: TDS Telecom and Nextel West Corp.  
2 DOCKET NOS. T-02063A-01-0057 and T-01072B-01-0057.

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